

United States District Court

DISTRICT OF _____

PAUL J. McNALLY, as he is TRUSTEE, MASSACHUSETTS LABORERS' HEALTH AND WELFARE FUND and NEW ENGLAND LABORERS' TRAINING TRUST FUND; JAMES MERLONI, JR., as he is TRUSTEE, MASSACHUSETTS LABORERS' PENSION FUND and MASSACHUSETTS LEGAL SERVICES FUND; MARTIN F. WALSH, as he is TRUSTEE, MASSACHUSETTS LABORERS' ANNUITY FUND,

Plaintiffs

V.

J. Michael Landscaping, Inc.,

Defendant

and

Barletta Engineering Corporation; Modern

Continental Construction Co., Inc.; and

Peabody Construction Company, Inc.,

Reach-and-Apply Defendants

SUMMONS IN A CIVIL CASE

CASE NUMBER: 05-11624 RWZ

TO: (Name and address of defendant)

Modern Continental Construction Co.
600 Memorial Drive
Cambridge, MA 02139

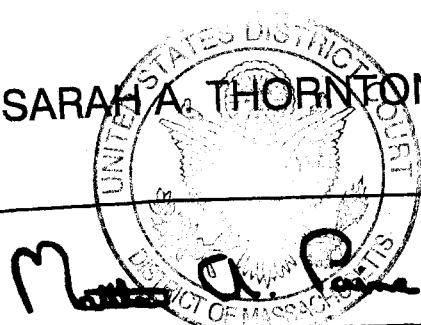
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Gregory A. Geiman, Esquire
Segal, Roitman & Coleman
11 Beacon Street
Suite #500
Boston, MA 02108

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

SARAH A. THORNTON



(BY) DEPUTY CLERK

DATE

DEC - 7 2005

AO 440 (



Middlesex Sheriff's Office • Civil Process Division, P.O. Box 410180, Cambridge, MA 02141-1819 • (617) 547-1171

Middlesex, ss.

January 9, 2006

I hereby certify and return that on 1/6/2006 at 2:10PM I served a true and attested copy of the SUMMONS AND AMENDED VERIFIED COMPLAINT, AND EXHIBITS in this action in the following manner: To wit, by delivering in hand to JANET WINE, agent, person in charge at the time of service for MODERN CONTINENTAL CONSTRUCTION CO., at , 600 MEMORIAL DRIVE, Cambridge, MA. Attest (\$5.00), Basic Service Fee (\$30.00), Conveyance (\$0.60), Postage and Handling (\$1.00), Travel (\$1.28) Total Charges \$37.88

 S L d

Deputy Sheriff

 Returned unexecuted: _____ Other (specify): _____

STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|
|--------|----------|-------|

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date _____

Signature of Server _____

Address of Server _____